

Case 1:06-cv-00126-JJF Document 43 Filed 11/09/2006 Page 1 of 4  
IN THE UNITED STATES DISTRICT COURT  
FOR THE STATE OF DELAWARE

Richard E. Shockley, Jr.

Plaintiff

V.

C.A. No. 06-126-JJF

LT. McCarty, Sgt. Marvin Creasy,  
Sgt. Vangorder, Officer Calhoun.

TRIAL BY JURY

DEMANDED

Defendants.

Plaintiff's answer to Defendants answer to  
Plaintiff's complaint.

- 1) Agree
- 2) Agree
- 3) Agree
- 4) Agree
- 5) Agree
- 6) Agree
- 7) Agree
- 8) Agree
- 9) Agree
- 10) Agree
- 11) Agree
- 12) Agree

13) DISAGREE, The Defendants did search the cell  
and Inmate Kenny Reeder will prove they are not  
telling the truth. This fact will be proven at trial.  
As to paragraph beginning "On Nov. 16, 2005" Sgt. Vangorder  
did make the statement.

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DISTRICT OF DELAWARE

- 14) Disagree, the Defendants started the rumor.
- 15) Exhibits A+B were provided to all defendants and the court in the original filing of the complaint.
- 16) Disagree, plaintiff filed a grievance, Exhibit C, which was never responded to by the Department Of Corrections.
- 17) Agree.
- 18) All of these facts are true.
- 19) Disagree.
- 20-27) Agree.

### Relief

- 1) Plaintiff is entitled to relief.
- 2) Plaintiff is entitled to relief.

### Affirmative Defenses

- 3) Relief will come to the plaintiff by holding the Defendants liable.
- 4) Defendant filed a grievance with no response.
- 5) Defendants immunity was lost when they violated the color of law.
- 6) Defendants qualified immunity was lost when they violated the color of law.
- 7) Defendants lose all protection once they violate the color of law.
- 8) Defendants lose there sovereign immunity when they violate the color of law.

- 9) All Defendants were present and had personal knowledge and involvement.
- 10) The Defendants lost protection by knowingly violating the Color Of Law.
- 11) The Defendants lose protection when they knowingly violated the Color Of Law.
- 12) The U.S. Marshall is responsible for service.
- 13) The U.S. Marshall processed service.
- 14) The District Court is the correct Court.

Therefore the plaintiff requests a trial by jury and that depositions be scheduled for the plaintiffs witnesses.

The plaintiff also requests that the Defendants answer Interrogatories.

Sincerely,  
Richard E. Shockley, Jr.  
1181 Paddock Rd.  
Smyrna, DE.  
19977

U/M Richard E. Shockley, Jr.

SBI# 166400 UNIT W

DELAWARE CORRECTIONAL CENTER

1181 PADDOCK ROAD

SMYRNA, DELAWARE 19977

U.S.M.S.  
X-RAY

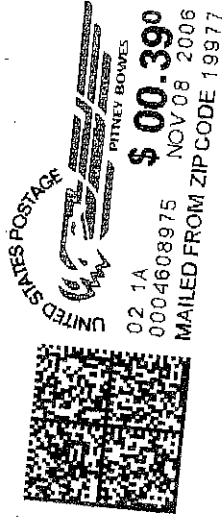
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